

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

~~[Consent/Proposed]~~
Order of Restitution

v.

RUDY BURGOS-HERNANDEZ,

22 Cr. 133 (JGK)

Defendant.

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Sarah L. Kushner, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Count One of the above-referenced Indictment; and all other proceedings in this case, and upon the consent of Rudy Burgos-Hernandez, the Defendant, by and through his counsel, John L. Russo, Esq., it is hereby ORDERED that:

1. Restitution

Rudy Burgos-Hernandez, the Defendant, shall pay restitution in the total amount of \$351,033.07, pursuant to 18 U.S.C. § 3663; 18 U.S.C. § 3663A (MVRA), to the victims of the offense charged in Count One of the Indictment and to the victims of crimes that fall within the relevant offense conduct in this case. The names and addresses, and specific amount owed to each victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of the victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

2. Schedule of Payments

Defendant's restitution obligations are due and payable immediately; however, the Defendant shall not make installment payments while serving the term of imprisonment. His obligations to make restitution payments shall begin immediately upon his release.

3. Payment Instructions

Restitution payments shall be made payable to the "Clerk of Court – SDNY" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. To make payments electronically, the Defendant shall contact the Clerk's Office for wiring instructions or refer to the Court's instructions for payment through pay.gov. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed.

4. Additional Provisions

The Defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendant's name, residence, or mailing address or (2) any material change in the Defendant's financial resources that affects the Defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

5. Restitution Liability


The Defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the Defendant, the Defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

6. Sealing

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of the victims, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

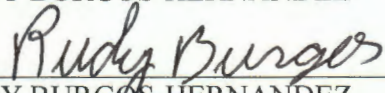
DAMIAN WILLIAMS
United States Attorney for the
District of New York

By: 

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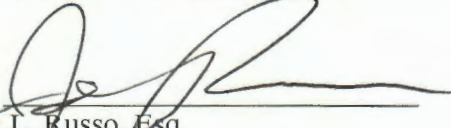
07/10/23
DATE

RUDY BURGOS-HERNANDEZ

By: 

RUDY BURGOS-HERNANDEZ


7/20/23
DATE

By: 

John L. Russo, Esq.
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jlrussopc@gmail.com

7/20/23
DATE

SO ORDERED:



HONORABLE JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

7/20/23
DATE

Schedule A
Schedule of Victims

